

JROIT/CARBOHYDRATE CONTACT REPORT

26 Feb 55

Date, Time, and Place of Meeting: 24 Feb 55, 1930-2130, CARBOHYDRATE's Apt.

Persons Present: a. CARBOHYDRATE b. ☐ ☐

1. After the usual amenities, CARBOHYDRATE delivered the following written material:

a. Excerpts from CADROIT Besuchervermerk containing ~~written~~ peripheral SFS info. For CART.

b. As requested earlier, a table showing recent info re which magazines and other ~~media~~ written material were displayed for pick-up in CADROIT waiting rooms and other facilities, and how many are distributed in this manner per month or other time period. The report was keyed to the period during which each publication is issued. For Schuppin. CARBOHYDRATE also delivered a few ~~sample~~ samples of items (~~ISSF Informations~~) ("ISSF Informationen", "Wochenpost", Deutsche Kommentare", etc.).

2. C reported orally that he had received a telephone call on the day of the meeting from Simoni to the effect that the latter had received a letter from CARCARANA 2's lawyers stating that a subpoena of CARBOHYDRATE had been ordered by the Frankfurt court. The purpose is to secure CARBOHYDRATE's testimony re CARCARANA's activities prior to his arrest. The mechanics of the ~~subpoena~~ subpoena are as follows:

The Frankfurt court transmits a Beweisbeschluss to the Berlin court (Amtsgericht) with a list of questions which are to be put to C. The Berlin court then notifies C that he is to appear ~~at~~ before the Berlin court at a certain time and date, i.e., a subpoena, to testify. The judge examines C upon the list of written questions, the answers are recorded, and the file with the answered questions is returned to the Frankfurt court. It may be noted that C has not yet received any official notice from the Berlin court of the subpoena—the ~~mechanical~~ bureaucratic wheels are still grinding. C will probably receive the subpoena next week.

3. Simoni's opinion was that transmission of the written affidavit earlier ~~xx~~ transmitted to the undersigned and written up in dispatch would obviate the necessity for a subpoena; C and Madell think otherwise, i.e., a subpoena ~~might still be required~~ might still be required.

~~Report of the undersigned to the undersigned, dated 24 Feb 55, at approximately 1930.~~
4. C expected to receive the list of questions concerned by approx 26 Feb from Simoni who had put them in the mail. ☐ ☐ instructed C to call him as soon as the questions arrived. The rest of the meeting was spent largely in speculation as to what the questions might contain and how they might be answered. It was agreed that the list would in all ~~probability~~ probability ~~not~~ include the following:

a. Does C know whether or not CARCARANA was in contact with an occupation power—if so, how and some idea of the extent of contact.

b. Does C know whether or not CARCARANA 2 advised against CARCARANA's activities?

5. When C asked ~~whether~~ whether he could testify that CARCARANA was in touch with an occupation power and that CARCARANA 2 advised against this contact, the

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case officer ~~xxxxxxxxxxxx~~ deferred answer pending examination of the precise questions re which CARBOHYDRATE is to be examined.

6. The case officer discussed with C the possibility that C might have to leave Berlin for a short while to avoid subpoena. C's reaction was that there seemed to be two possibilities--either the undersigned could give him a clear line to follow in answering questions put to him by the court or a trip out of the country might possibly be in order.

7. As requested earlier, C had discussed the divorce affair ~~xxx~~ with Ladell. The latter felt that transmission of the case file to a DDR court to allow examination fo CARCARANA would be very unlikely-- FEDREP courts almost never did this if the result would be hardship to someone. But Ladell felt that either the draft affidavit would not be admitted as evidence (the ~~xxxxxxxxxxxx~~ best evidence rule--don't admit ~~xx~~ statements as to what a person knows when the person is available to testify directly) or that it would be insufficient--the court would still want to take direct testimony from CARBOHYDRATE.

8. The undersigned instructed CARBOHYDRATE to discuss the latest development, subpoena of CARBOHYDRATE, with Ladell at the earliest opportunity.

9. Next Meeting: 28 Feb 55, 1900, C's Apt.